

**RESPIRATORY CARE PRACTITIONER'S EXAMINING COUNCIL
MADISON, WI
MINUTES
DECEMBER 8, 2003**

MEMBERS PRESENT: David Ballard, RT; Susan Evans, RT; Rebecca Strike, RT

STAFF PRESENT: Tom Ryan, Bureau Director; Wayne Austin, DRL counsel to the Board; Pamela Meicher, Program Assistant

EXCUSED: Ullattil Nanda Kumar, MD

CALL TO ORDER

Chair Susan Evans called the meeting to order at 9:02 a.m. A quorum of three was present.

APPROVAL OF AGENDA

Amendments:

- Request for Waiver of Examination Retake Restriction (Med 20.04(7)) – Darwin Tichenor
- Application Review – David D. Greenwood

MOTION: Susan Evans moved, seconded by David Ballard, to approve the agenda with amendments. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 28, 2003

Amendments:

Page 2 – Change second sentence under **HOME CARE LICENSURE – DISCUSSION** to read “The Board discussed the possibility of a limited permit, which would prohibit applicants working within the acute care area.” Add “The Board reviewed the credentialing process, which includes a minimum of an associate degree and a re-credentialing requirement every five years (after July 2002.)”

Page 2 – Change the fifth sentence under **UNCERTIFIED PRACTICE – DISCUSSION** to read “Respiratory care practitioners cannot continue to work as respiratory care practitioners after expiration of their certificate without supervision.”

MOTION: David Ballard moved, seconded by Rebecca Strike, to approve the minutes of July 28, 2003, as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Tom Ryan reported that Wayne Austin, DRL legal counsel for the Board, will retire in December and General Counsel William Dusso will retire in January.

2004 Board Meeting Dates:

MOTION: David Ballard moved, seconded by Rebecca Strike, in favor of approving the 2004 Board meeting dates. Motion carried unanimously.

Testimony of Deputy Secretary Mary Schlaefter before the Joint Committee on Audit:

Tom Ryan briefly discussed the Deputy's testimony and said that the Department is hoping the legislature will provide the Department with a fee structure that can support the work the staff is required to do.

Board Member Workshop Summary:

Susan Evans reported on the Board Member Workshop that was held on October 14, 2003. Ms. Evans said it was an excellent conference and strongly encourages all Board members to attend the next conference. Discussion topics included motivation, professionalism, upgrades to Department technology, the complaint process, and problems related to cheating on examinations.

CONVENE TO CLOSED SESSION

MOTION: David Ballard moved, seconded by Rebecca Strike, to convene to closed session to deliberate on cases(s) following hearing (Wis. Stat. § 19.85(1)(a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § (1) (b) and 440.205); to consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Roll call vote: David Ballard – yes, Susan Evans – yes, Rebecca Strike – yes. Motion carried unanimously.

Open session recessed at 9:41 a.m.

RECONVENE IN OPEN SESSION

MOTION: David Ballard moved, seconded by Rebecca Strike, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:33 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

ORAL EXAMINATIONS

MOTION: Susan Evans moved, seconded by David Ballard, in favor of the Medical Examining Board passing one candidate: Maria L. Moody; and failing two candidates: Karen M. Kurler; and Duane F. Quinion, Jr., on their oral examinations. Motion carried unanimously.

MOTION: David Ballard moved, seconded by Susan Evans, in favor of granting a certificate as a respiratory care practitioner to David D. Greenwood. Motion carried unanimously.

EXAMINATION ISSUES

Darwin Tichenor, Examination Specialist, introduced himself to the Council. Mr. Tichenor went on to discuss the waiver request for Deanna Von Haden and the examination workshop review.

REQUEST FOR WAIVER OF EXAMINATION RETAKE RESTRICTION – DEANNA VON HADEN

MOTION: Susan Evans moved, seconded by David Ballard, in favor of Darwin Tichenor writing a letter to Deanna Von Haden advising her that she can retake the examination for a fifth time. Motion carried unanimously.

PLANNING FOR REVIEW OF ORAL AND STATUTES AND RULES EXAMINATIONS

Darwin Tichenor would like to meet with Council members to review examination questions. Susan Evans and Rebecca Strike volunteered to meet with Mr. Tichenor on Tuesday January 6, 2004, at 9:00 a.m. They will provide Mr. Tichenor with names of 5-6 other people who can help prepare the questions. An agenda will be sent out prior to the meeting.

MOTION: Susan Evans moved, seconded by David Ballard, in favor of scheduling an examination workshop review for January 6, 2004, at 9 a.m. that Board members will attend. Motion carried unanimously.

BOARD TRAVEL REQUEST – SUSAN EVANS – DISCUSSION

Susan Evans told the Council she was invited to speak at the next Wisconsin Society for Respiratory Care symposium. Ms. Evans said that she would like to speak on the expiration of licenses and uncertified personnel working in the respiratory care field.

MOTION: David Ballard moved, seconded by Rebecca Strike, in favor of delegating Susan Evans to speak on State licensure at the Wisconsin Society for Respiratory Care 2004 symposium at the Kalahari Resort, Wisconsin Dells, WI, April 26-28, 2004. Motion carried unanimously.

At this time Susan Evans had an administrative request and asked if she could receive Board meeting minutes after they are drafted.

MOTION: David Ballard moved, seconded by Rebecca Strike, in favor of having drafted meeting minutes sent to Susan Evans when completed. Motion carried unanimously.

COMPLIANCE QUESTION – CANDY WILKE – MERCY MEDICAL CENTER – OSHKOSH, WI

The Council briefly discussed respiratory care practitioners monitoring patients during conscious sedation. The main concern is whether the respiratory care practitioner has had the proper training. DRL counsel to the Board will reply to Candy Wilke's compliance question regarding the nature of required supervision for oral conscious sedation procedures.

UNCERTIFIED PRACTICE – INTERNET ADVERTISEMENTS FOR RESPIRATORY THERAPY INTERNS

Tom Ryan started the discussion on uncertified practice and summarized questions about the meaning of direct supervision. The Council discussed their concerns regarding some respiratory care practitioners performing work activities that should be performed under direct supervision. DRL counsel to the Board suggested that the Council make a recommendation to the MEB to promulgate a rule defining direct supervision.

MOTION: Rebecca Strike moved, seconded by David Ballard, in favor of delegating Susan Evans to work with Tom Ryan on drafting a memo to the MEB recommending that direct supervision be defined for unlicensed people. Motion carried unanimously.

Tom Ryan will add this issue to a future MEB meeting and bring back any information to the next Council meeting.

The Council reviewed the internet advertisements from St. Luke's Medical Center. They believe the advertisement should be changed due to the ad referring to indirect supervision. Wayne Austin said the term indirect supervision should not be used. David Ballard will speak to St. Luke's Medical Center and ask them to revise the ad or pull it, and report back at the April meeting.

MOTION: David Ballard moved, seconded by Rebecca Strike, in favor David Ballard speaking to St. Luke's Medical Center about their ad and asking them to revise the ad or pull it. Motion carried unanimously.

ADJOURNMENT

MOTION: David Ballard moved, seconded by Rebecca Strike, in favor of adjourning the meeting at 1:48 p.m. Motion carried unanimously.